

asthma, and gas conditions, and would enable the user to breathe easier; that it would be efficacious in the treatment of poor circulation and brittle fingernails, would enable the user to feel years younger, would insure a good appetite, heal running sores, and relieve tired feeling, would be efficacious to make hair grow, and would prevent drying of the skin, stop itching of the skin, and eliminate weak spells. The drug was not a tonic, and it would not be efficacious for the purposes represented and suggested.

DISPOSITION: January 19, 1948. A plea of nolo contendere having been entered, the court imposed a fine of \$100, plus costs.

3547. Misbranding of StafTabs calcium and phosphorus tablets. U. S. v. 37 Bottles, etc. (F. D. C. No. 26103. Sample No. 14180-K.)

LABEL FILED: December 16, 1948, Northern District of Illinois.

ALLEGED SHIPMENT: The drug was shipped on or about October 4, 1948, by Modern Products, Inc., from Milwaukee, Wis. A number of circulars were shipped on or about July 14, 1948, by a bindery in Waltham, Mass., on instructions from Modern Products, Inc.

PRODUCT: 37 bottles of *StafTabs calcium and phosphorus tablets* at Chicago, Ill., together with 29 circulars entitled "Can Minerals Prevent Premature Aging."

LABEL, IN PART: (Bottle) "StafTabs Calcium and Phosphorus with Vitamin D Each tablet contains 188 milligrams Calcium, 95 milligrams Phosphorus, 100 U. S. P. Units Vitamin D, 2½ mgs. Iron, 0.025 mgs. Iodine Ingredients: Tricalcium Phosphate, Iodized Casein (Iodine derivative of an organic compound), Iron Peptonate, Vitamin D Concentrate from fish liver oil, Flavoring."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circular were false and misleading. The statements represented and suggested that the drug would prevent premature aging, would give one health and zest for life, would keep the blood and tissue fluid from becoming too acid or too alkaline, would influence the secretion of the glands, would influence the sending of messages through the nervous system, would enable one to attain maximum vigor, would insure against poorly formed, soft, and porous bones and teeth, would prevent children from becoming stunted, would prevent adults from being high-strung, quick-tempered, grouchy, and irritable, and feeling tense and uneasy, would assure calmness and stability, conserving mental and physical nerves, would prevent insomnia and brooding during the night over the probable fatigue during the coming day, would increase efficiency, peace, and happiness in the family, would prevent abdominal cramps, extreme nervousness, mental depression, and headaches during menstruation, or would cause these symptoms to disappear, would prevent irritability, insomnia, and loss of teeth during change of life, would enable one to retain the good characteristics of youth through a longer stretch of adult life before signs of old age appear, would prevent nervousness, tiredness, suffering from insomnia, and resorting to artificial teeth, would promote normal heart reaction, nerve conduction, energy exchange in muscle contraction, and glandular functioning, would prevent a decrease of stamina, endurance, and general vitality, would maintain mental and physical efficiency and alertness, would prevent or remedy cases in which people "just don't feel too well," would effect powerfully the physical and mental development, and would give the body a normal verve and urge for work and play. The drug would not fulfill the promises of benefit stated and implied in the labeling.

DISPOSITION: January 12, 1949. Default decree of condemnation and destruction.

3548. Misbranding of Spectro-Chrome. U. S. v. 1 Device, etc. (F. D. C. No. 16892. Sample No. 16921-H.)

LIBEL FILED: On or about August 14, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 2, 1945, from Newfield, N. J., by Dinshah P. Ghadiali.

PRODUCT: 1 *Spectro-Chrome* device, together with an assortment of written, printed, and graphic matter. (The device is described in notices of judgment on drugs and devices, No. 3149.)

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label and in the accompanying labeling were false and misleading. (See above-referenced notice of judgment for the nature of the misbranding.)

DISPOSITION: May 17, 1950. Upon motion of the Government, the case was dismissed.

3549. Misbranding of Therm-Massage infrared heat applicator. U. S. v. 143 Cartons, etc. (F. D. C. No. 24706. Sample No. 32388-K.)

LIBEL FILED: April 8, 1948, Northern District of California.

ALLEGED SHIPMENT: On or about March 11, 1948, by Sibert & Co., from Newark, N. J.

PRODUCT: 143 cartons each containing 1 device labeled "Therm-Massage Infra-Red Heat Applicator" and a circular bearing the same name; also, in shipping cases, 39 additional copies of the above circular and copies of circulars entitled "Heat Massage Those Pains Away," "Amazing New Scientific Invention," "1st Ad, July 1st for Beauty Aid," and "Earn Extra Profits," and copies of display cards entitled "Relieve Pain Quickly" and "Therm-Massage Infra-Red." The device, together with the accompanying labeling, was at San Francisco, Calif.

Examination showed that the device consisted of two pieces of molded bakelite, one serving as the handle and the other containing an electrically heated coil.

NATURE OF CHARGE: Misbranding, Section 502 (a), the circulars and the display cards accompanying the device contained certain statements which were false and misleading. These statements represented and suggested that the device would be effective in the cure, mitigation, and treatment of headache, sinus, muscular aches, sprains, cramps in feet or legs, stiff neck or stiff joints, colds, backache, rheumatism, aching muscles, arthritis, aching joints, neuritis, and neuralgia; that the device would be efficacious to reach down into aching muscles and joints, to bring new comfort to tortured nerves, to relax sore muscles, and to make aching nerves and joints feel better; that the device would be effective in the cure, mitigation, and treatment of foot pains, head pains, nerve pains, back pains, stiff and sore shoulders and back muscles, rheumatism, toothache, sprains and bruises, and sprained ankle; that it would cause the pain to disappear from an injured hand and enable one to get a good night's sleep; that it would be effective in the cure, mitigation, and treatment of any aches or pains; that it would relieve the stiffness in the neck muscles after a tonsillectomy; that it would relax the tiny muscles of the face, throat, and neck,